

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARILYN Y. ARMSTRONG, et al., :
Plaintiffs, : 07 Civ. 3561 (GEL) (HBP)
-against- : ORDER
METROPOLITAN TRANSPORTATION :
AUTHORITY, et al., :
Defendants. :
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PITMAN, United States Magistrate Judge:

A conference having been held in this matter on September 4, 2008 during which various discovery issues were discussed, for the reasons stated on the record in open court, it is hereby ORDERED that:

1. Defendants' application to compel Maczyk to submit an examination by a psychiatrist or psychologist is granted.
2. No later than October 6, 2008, plaintiffs' counsel is to advise defendants' counsel whether Maczyk will offer expert testimony concerning plaintiff's claim that he suffered from dystonia as a result of defendants' alleged actions. If Maczyk elects to offer such testimony, defendants will also be entitled to have Maczyk examined by a neurologist.

3. Defendants' application to compel Alvarado, Armstrong and Urquhart to submit a psychological examination is granted in part and denied in part. Defendants' application is granted to the extent that defendants seek to have each of these plaintiffs examined by a by a psychologist or psychiatrist limited to the time period in which each of these plaintiffs consulted with a psychiatrist or psychologist

Dated: New York, New York
September 12, 2008

SO ORDERED


HENRY PITMAN
United States Magistrate Judge

Copies transmitted to:

Deanna R. Waldron, Esq.
Rachel D. Nicotra, Esq.
McLaughlin and Stern, LLP
260 Madison Ave
New York, New York 10016

Norman H. Siegel, Esq.
18th Floor
260 Madison Avenue
New York, New York 10016

Craig R. Benson, Esq.
Stephen A. Fuchs, Esq.
Littler Mendelson, P.C.
16th Floor
885 Third Avenue
New York, New York 10022